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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HAJRO OMEROVIC,

Plaintiff,

v.

COUNTRYWIDE KB HOME LOANS,
LLC, et al.,

Defendants.

2:12-CV-697 JCM (PAL)

ORDER

Presently before the court is defendants Countrywide KB Home Loans, LLC, et. al.'s motion to dismiss complaint. (Doc. #7). Plaintiff Hajro Omerovic failed to file an opposition. On June 11, 2012, defendants filed a notice of non-opposition to the motion to dismiss.

The property at issue in this case is located at 10439 Wildflower Gully St., Las Vegas, Nevada. (Doc. #1, Ex. 1). The property purchase was secured by a deed of trust in the amount of \$252,090.00. (Doc. #8, Ex. A). Defendant ReconTrust recorded a notice of default on November 19, 2010. (Doc. #8, Ex. B). A notice of trustee's sale was recorded on October 3, 2011. (Doc. #8, Ex. E). The property was sold at a foreclosure sale on December 12, 2011. (Doc. #8, Ex. F).

Pursuant to Nevada Local Rule 7-2(d), "the failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion." However, the court will not automatically grant every unopposed motion. In *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995), the Ninth Circuit held that the court had to weigh the following factors

1 before dismissing the action: (1) the public's interest in expeditious resolution of litigation; (2) the
2 court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy
3 favoring disposition of cases of their merits; and (5) the availability of less drastic sanctions.

4 Plaintiff failed to oppose the motion to dismiss, and the court further finds that the *Ghazali*
5 factors weigh in favor of dismissing the action. *Ghazali*, 46 F.3d at 53; *see also* LR 7-2(d).

6 Accordingly,

7 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendants Countrywide
8 KB Home Loans, LLC, et. al.'s motion to dismiss complaint (doc. #7) be, and the same hereby is,
9 GRANTED.

10 DATED June 12, 2012.

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UNITED STATES DISTRICT JUDGE
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